

Introduced by Senator Kuehl

February 23, 2006

An act to amend Section 139.4 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 1574, as introduced, Kuehl. Sacramento-San Joaquin Delta.

Existing law requires the Department of Water Resources and the Department of Fish and Game to identify, evaluate, and comparatively rate the principal options available to implement certain objectives that relate to the Sacramento-San Joaquin Delta or the Sacramento and San Joaquin river systems. Existing law requires the departments to jointly report to the Legislature and the Governor the results of their evaluations and comparative ratings, as specified, no later than January 1, 2008.

This bill would require one of those principal options to be designed to reduce dependence on the delta for water supply through greater investments in local water supplies, water use efficiency, water recycling, demand management programs, and other actions outside the delta. The bill would substantially revise those objectives relating to the delta and Sacramento and San Joaquin river systems. The bill would require the Department of Water Resources and the Department of Fish and Game, on or before July 1, 2007, to provide a draft joint report to the Independent Science Board of the California Bay-Delta Authority, or its successor. The bill would require that board to provide the Department of Water Resources with an independent peer review of the draft report. The bill would require the Department of Water Resources to revise the draft joint report to reflect the comments of the peer review in the joint report.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 139.4 of the Water Code is amended to read:

139.4. (a) The department and the Department of Fish and Game shall determine the principal options for the delta. *At least one option shall be designed to reduce dependence on the delta for water supply through greater investments in local water supplies, water use efficiency, water recycling, demand management programs, and other actions outside the delta.*

(b) The department shall evaluate and comparatively rate each option determined in subdivision (a) for its ability to ~~do~~ *meet* the following objectives:

~~(1) Prevent the disruption of water supplies derived from the Sacramento-San Joaquin Delta.~~

~~(2) Improve the quality of drinking water supplies derived from the delta.~~

~~(3) Reduce the amount of salts contained in delta water and delivered to, and often retained in, our agricultural areas.~~

~~(4) Maintain delta water quality for delta users.~~

~~(5) Assist in preserving delta lands.~~

~~(1) Improve water supply reliability to current users of delta water.~~

~~(2) Improve delta water quality for each beneficial use.~~

~~(3) Reverse, stop, or reduce subsidence.~~

~~(6)~~

~~(4) Protect water rights of the "area of origin" and protect the environments of the Sacramento-San Joaquin river systems. origin."~~

~~(7)~~

~~(5) Protect highways, utility facilities, and other infrastructure located within the delta.~~

~~(8)~~

~~(6) Preserve, protect, and improve delta levees.~~

(c) The Department of Fish and Game shall evaluate and comparatively rate each option determined in subdivision (a) ~~for its ability to restore salmon and other fisheries that use the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. based on its consistency with the following objectives:~~

1 *(1) The recovery of each delta-dependent species listed as*
2 *threatened or endangered under either the California*
3 *Endangered Species Act (Chapter 1.5 (commencing with Section*
4 *2050) of Division 3 of the Fish and Game Code) or the federal*
5 *Endangered Species Act (16 U.S.C. Sec. 1531 et seq.)*

6 *(2) The restoration of historic wetlands, and aquatic and*
7 *terrestrial habitat.*

8 *(d) (1) On or before July 1, 2007, the department and the*
9 *Department of Fish and Game shall provide a draft report to the*
10 *Independent Science Board of the California Bay-Delta*
11 *Authority, or its successor, with regard to the results of the*
12 *evaluation required by Section 139.2 and the comparative*
13 *ratings required by subdivisions (b) and (c). That board shall*
14 *provide the department with an independent peer review of the*
15 *draft report. The department shall revise the draft report to*
16 *reflect the comments of the peer review in its joint report*
17 *pursuant to paragraph (2).*

18 ~~*(d)*~~

19 *(2) On or before January 1, 2008, the department and the*
20 *Department of Fish and Game shall jointly report to the*
21 *Legislature and Governor, in writing, with regard to the results of*
22 *the evaluation required by Section 139.2 and the comparative*
23 *ratings required by subdivisions (b) and (c).*

24 *(e) As used in this section, "delta" means the Sacramento-San*
25 *Joaquin Delta.*